

ORDINANCE NO. 37

Series 2002

AN ORDINANCE AMENDING CHAPTER 1 OF TITLE 9 OF THE BRECKENRIDGE TOWN CODE, KNOWN AS THE "BRECKENRIDGE DEVELOPMENT CODE", BY ELIMINATING AWARDS OF POSITIVE POINTS FOR OFF-SITE DEVELOPMENT ACTIVITIES

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

Section 1. Paragraph B of Policy 22 (Relative) of Section 9-1-19 of the Breckenridge Town Code is hereby deleted.

Section 2. Paragraph B of Policy 24 (Relative) of Section 9-1-19 of the Breckenridge Town Code, entitled "Social Community", is amended so as to read in its entirety as follows:

- 5 x (-2/+2)                      B.        Community Need: Developments which address specific needs of the community which are identified in the yearly goals and objectives report are encouraged. Positive points shall be awarded under this paragraph only for development activities which occur on the applicant's property.

Section 3. Paragraph C of Policy 24 (Relative) of Section 9-1-19 of the Breckenridge Town Code, entitled "Social Community", is amended so as to read in its entirety as follows:

- 4 x (-2/+2)                      C.        Social Services: Developments which provide social services are encouraged. Social services shall include, but not be limited to: daycare centers and nurseries, educational programs and facilities; programs and facilities for the elderly and the young; and other programs and facilities which will enhance the social climate of the community. This shall include theaters, playhouses, and any other developments which will promote the arts within the town. Positive points shall be awarded under this paragraph only for the provision of social services which are located on the applicant's property.

Section 4. Paragraph E of Policy 24 (Relative) of Section 9-1-19 of the Breckenridge Town Code, entitled "Social Community", is amended so as to read in its entirety as follows:

- 5 x (0/+2)                      E.        Historic Preservation: Additional on-site preservation efforts beyond the requirements of the historic district guidelines, or efforts to preserve on-site historic structures or any "town designated landmark", "federally designated landmark", "landmark site" or "cultural landscape district" as defined in chapter 11 of this title are strongly encouraged, subject to approval by the planning commission by way of a special finding.

Examples: Density transfers to areas outside of the historic district; donation of facade easements; removal of additions to historic structures, town designated landmarks or federally designated landmarks that detract from the structure's historic significance; saving and moving a secondary structure onto the site or other suitable sites.

Positive points will be awarded according to the following point schedule for on site historic preservation projects:

- +5        On site historic preservation effort of minimal public benefit, or for an adequate job of implementation.
- +10      On site historic preservation effort of average public benefit, or for a good job of implementation.
- +15      On site historic preservation effort with a significant public benefit, or for an excellent job of implementation.

Section 5. Policy 25 (Relative) of Section 9-1-19 of the Breckenridge Town Code, entitled "Transit", is amended so as to read in its entirety as follows:

25.       (RELATIVE) TRANSIT:

4 x (-2/+2)

Nonauto Transit System: The inclusion of or the contribution to a permanent nonauto transit system, designed to facilitate the movement of persons to and from Breckenridge or within the town, is strongly encouraged. Nonauto transit system elements include buses and bus stops, both public and private, air service, trains, lifts, and lift access that have the primary purpose of providing access from high density residential areas or major parking lots of the town to the mountain, etc. Any development which interferes with the community's ability to provide nonauto oriented transportation elements is discouraged. Positive points shall be awarded under this paragraph only for the inclusion of or the contribution to nonauto transit system elements which are located on the applicant's property.

Section 6. Paragraph A of Policy 26 (Relative) of Section 9-1-19 of the Breckenridge Town Code is hereby deleted.

Section 7. Except as specifically amended hereby, the Breckenridge Town Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 8. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the Town of Breckenridge and the inhabitants thereof.

Section 9. The Town Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to the authority granted to home rule municipalities by Article XX of the Colorado Constitution and the powers contained in the Breckenridge Town Charter.

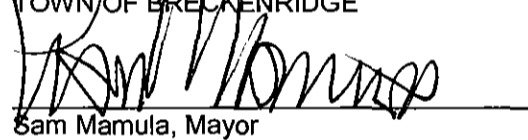
Section 10. This Ordinance shall be published and become effective as provided by Section 5.9 of the Breckenridge Town Charter.

INTRODUCED, READ ON FIRST READING, APPROVED AND ORDERED PUBLISHED IN FULL this 22<sup>nd</sup> day of October, 2002. A Public Hearing shall be held at the regular meeting of the Town Council of the Town of Breckenridge, Colorado on the 12<sup>th</sup> day of November, 2002, at 7:30 P.M., or as soon thereafter as possible in the Municipal Building of the Town.

ATTEST:

  
Mary Jean Loufek, CMC,  
Town Clerk

TOWN OF BRECKENRIDGE

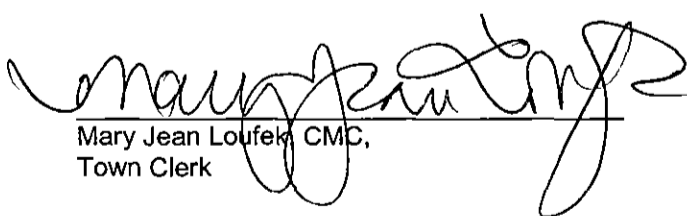
  
Sam Mamula, Mayor

This Ordinance was published in full in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on November 1, 2002.

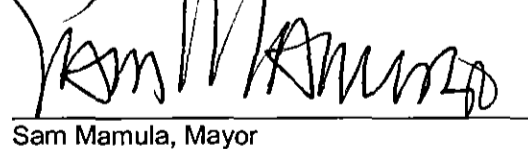
The public hearing on this Ordinance was held on November 12, 2002.

READ, ADOPTED ON SECOND READING AND ORDERED PUBLISHED IN BY TITLE ONLY, this 12<sup>th</sup> day of November, 2002. A copy of this Ordinance is available for inspection in the office of the Town Clerk.

ATTEST:

  
Mary Jean Loufek, CMC,  
Town Clerk

TOWN OF BRECKENRIDGE

  
Sam Mamula, Mayor

APPROVED IN FORM:

 11/12/02  
Town Attorney Date

This Ordinance was published by title only in the Summit County Journal, a newspaper of general circulation within the Town of Breckenridge, on November 22, 2002.